APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,911	01/03/2002	Yoshinori Murata	81800.0175	1002

			EXAMINER
26021	7590	10/05/2005	BURLESON, MICHAEL L

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ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/039,911	MURATA, YOSHINORI
	Examiner	Art Unit	
	Michael Burleson	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/3/02, 4/19/04, 11/29/04*

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Priority

1.   Acknowledgment is made of applicant's claim for foreign priority under 35

U.S.C. 119(a)-(d).

Information Disclosure Statement

1.   The information disclosure statement (IDS) was submitted on January 3, 2002,

April 20, 2004 and November 29, 2004. The submission is in compliance with the

provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being

considered by the examiner.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by

Sakayama Takashi, Mochizuki Masahiro, Tezuka Yoshiaki, Sakaki Kosuke, Kudo

Nobuyuki, Maei Yoshihiro, Kawabata Hirotaka (Takashi et al.) JP 10-271301.

3.   Regarding claim 1, Takashi et al. teaches a communication link based on V.8

ITU-T recommendation (page 7, paragraph 0046), which reads on a communication

terminal device with a facsimile communication function in accordance with a V.8 mode

of ITU-T Recommendation. Takashi et al. teaches of sending out a DIS signal that

contains a V.8 capacity (page 7, paragraph 0047), which reads on a communication

control unit for causing the communication terminal device to transmit a first type of DIS

signal to which a bit indicating that a communication procedure in accordance with the

V.8 mode can be carried out is set. Takashi et al. teaches of sending out an ANSam

signal and teaches of not receiving a CM signal in a predetermined time and sends out

a DIS signal (page 8,pagragph 0060 and page 9, paragraph 0063 and 0065). This

reads on the communication terminal device transmits a first ANSam signal. And cannot

detect a CM signal within a prescribed period of time, and then causing to the

communication terminal device to transmit a second type of DIS signal to which a bit

indicating that the communication procedure in accordance with the V.8 mode can be

carried out is not set, in a case in which after transmission of the first type DIS signal.

Takashi et al. teaches of receiving a CI signal and sending out another ANSam signal

and judges whether the CI signal count has reached the upper limit (page 9,paragraph

0064 and 0065), which reads on the communication terminal device receives a CI signal

and transmits a second ANSam signal and does not detect a CM signal and it is judged

that the number of CI signals the communication terminal device has detected is equal

to or more than a prescribed number.

4.   Regarding claim 2, Takashi et al. teaches of sending out a DIS signal that contains a V.8 capacity (page 7, paragraph 0047), which reads on a communication control unit causes the communication terminal device to transmit a first type of DIS signal to which a bit indicating that a communication procedure in accordance with the V.8 mode can be carried out is set in a case other than a case in which it is judged that the number of CI signals the communication terminal device has detected is equal to or more than the prescribed number when the communication terminal device receives the CI signal and transmits the second ANSam signal and does not detects the CM signal.

5.   Regarding claim 3, Takashi et al. teaches that a CM signal that is within an upper limit 1 hour is detected and transmits a JM signal and a V.34 procedure is done (page 8,paragraph 0057,0058,0059,0061 and 0062), which reads on the communication terminal device detects the CM signal within the prescribed period of time after transmission of the first or second ANSam signal, the communication control unit causes the communication terminal device to transmit a JM signal, the V.8 mode is continued, and a facsimile reception process in accordance with a V.34 m ode is carried out.

6.   Regarding claim 4, Takashi et al. teaches of a DCS command in which, a T.30 procedure is performed (page 8,paragraph 0052), which reads on wherein the communication terminal device further possesses a facsimile communication function of a G3 method and wherein when the communication terminal device receives a DCS signal after transmission of the first or second type of DIS signal, a facsimile reception process in accordance with T.30 of the ITU-T Recommendation is carried out.

7.   Regarding claim 5, Takashi et al. teaches of a CPU (12) (page6, paragraph

0041), which reads on an operation unit for operating the communication terminal

device. Takashi et al. teaches of modem (34) (page 6,paragraph 0042), which reads on

a faxmodem. Takashi et al. teaches of an analog network control unit (40) (page

6,paragraph 0041), which reads on a network control unit for connecting the faxmodem

to a public network in accordance with necessity. Takashi et al. teaches of ROM (page

6,paragraph 0041), which reads on a ROM for storing a program to be executed by the

communication control unit. Takashi et al. teaches of RAM (14) (page 6,paragraph

0041), which reads on a RAM for storing temporary data, which is generated when the

communication control unit executes the program stored in the ROM. Takashi et al.

teaches of a reader (18) (page 6,paragraph 0041), which reads on an image reading

unit for reading an image. Takashi et al. teaches of image storage equipment (24)

(page 6,paragraph 0041), which reads on an image memory for storing the read image

to be transmitted and an image the communication terminal device has received.

Takashi et al. teaches of a printer (20) (page 6,paragraph 0041), which reads on an

image recording unit for recording at least said received image.

8.   Regarding claim 6, Takashi et al. teaches of a digital-communication control

program storage section (30) (page 6,paragraph 0041), which reads on a CD-ROM

drive device into which a CD-ROM which has stored a communication control program

can be inserted, wherein the communication control program stored in the CD-ROM can

be loaded onto the RAM.

9.   Regarding claim 7, Takashi et al. teaches of an actuation display (16) (page

6,paragraph 0041), which reads on a display unit for displaying operational condition of

the communication terminal device.

10.   Regarding claim 8, Takashi et al. teaches that the network is an ISDN network

(page 6,paragraph 0041), which reads on the public network is a public switched

telephone network or a public digital line network.

11.   Regarding claim 9, Takashi et al. teaches a communication link based on V.8

ITU-T recommendation (page 7, paragraph 0046), which reads on a communication

terminal device with a facsimile communication function in accordance with a V.8 mode

of ITU-T Recommendation. Takashi et al. teaches of sending out a DIS signal that

contains a V.8 capacity (page 7, paragraph 0047), which reads on a communication

control unit for causing the communication terminal decide to transmit a first type of DIS

signal to which a bit indicating that a communication procedure in accordance with the

V.8 mode can be carried out is set. Takashi et al. teaches of sending out an ANSam

signal and teaches of not receiving a CM signal in a predetermined time and sends out

a DIS signal (page 8,pagragph 0060 and page 9, paragraph 0063 and 0065). This

reads on the communication terminal device transmits a first ANSam signal. And cannot

detect a CM signal within a prescribed period of time, and then causing to the

communication terminal device to transmit a second type of DIS signal to which a bit

indicating that the communication procedure in accordance with the V.8 mode can be

carried out is not set, in a case in which after transmission of the first type DIS signal.

Takashi et al. teaches of receiving a CI signal and sending out another ANSam signal

and judges whether the CI signal count has reached the upper limit (page 9,paragraph

0064 and 0065), which reads on the communication terminal device receives a CI signal

and transmits a second ANSam signal and does not detect a CM signal and it is judged

that the number of CI signals the communication terminal device has detected is equal

to or more than a prescribed number. Takashi et al. teaches of an analog network

control unit (40) (page 6,paragraph 0041), which reads on a means for connecting the

communication terminal device to a public network.

12.   Regarding claim 10, Takashi et al. teaches of sending out a DIS signal that

contains a V.8 capacity (page 7, paragraph 0047), which reads on a communication

control unit causes the communication terminal device to transmit a first type of DIS

signal to which a bit indicating that a communication procedure in accordance with the

V.8 mode can be carried out is set in a case other than a case in which it is judged that

the number of CI signals the communication terminal device has detected is equal to or

more than the prescribed number when the communication terminal device receives the

CI signal and transmits the second ANSam signal and does not detects the CM signal.

13.   Regarding claim 11, Takashi et al. teaches of a CPU (12) (page6, paragraph

0041), which reads on a means for operating the communication terminal device.

Takashi et al. teaches of modem (34) (page 6,paragraph 0042), which reads on a

faxmodem. Takashi et al. teaches of an analog network control unit (40) (page

6,paragraph 0041), which reads on a network control unit for connecting the faxmodem

to a public network in accordance with necessity. Takashi et al. teaches of ROM (page

6,paragraph 0041), which reads on a first storing means for storing a program to be

executed by the communication control unit. Takashi et al. teaches of RAM (14) (page

6,paragraph 0041), which reads on a second storing means for storing temporary data

which is generated when the communication control unit executes the program stored in

the ROM. Takashi et al. teaches of a reader (18) (page 6,paragraph 0041), which reads

on a means for reading an image. Takashi et al. teaches of image storage equipment

(24) (page 6,paragraph 0041), which reads on a means for storing the read image to be

transmitted and an image the communication terminal device has received. Takashi et

al. teaches of a printer (20) (page 6,paragraph 0041), which reads on a means for

recording at least said received image.

14.   Regarding claim 12, Takashi et al. teaches of an actuation display (16) (page

6,paragraph 0041), which reads on a means for displaying operational condition of the

communication terminal device.

15.   Regarding claim 13, Takashi et al. teaches that the network is an ISDN network

(page 6,paragraph 0041), which reads on the public network is a public switched

telephone network or a public digital line network.

16.   Regarding claim 14, Takashi et al. teaches a communication link based on V.8

ITU-T recommendation (page 7, paragraph 0046), which reads on a facsimile

communication method in accordance with a V.8 mode of ITU-T Recommendation.

Takashi et al. teaches of sending out an ANSam signal (page 8,pagragph 0060 and

page 9, paragraph 0063 and 0065), which reads on transmitting a first ANSam signal.

Takashi et al. teaches of sending out a DIS signal and teaches of not receiving a CM

signal in a predetermined time and sends out (page 8,pagragph 0060 and page 9,

paragraph 0063 and 0065), which reads on transmitting a first type of DIS signal to which a bit indicating that the communication procedure in accordance with the V.8 mode can be carried out is not set, if a CM signal cannot be detected within a prescribed period of time after the transmission of the first ANSam signal. Takashi et al. teaches of receiving a CI signal and sending out another ANSam signal and judges whether the CI signal count has reached the upper limit (page 9,paragraph 0064 and 0065), which reads on transmitting a second ANSam signal if a CI signal is received after transmission of the first type of DIS signal. Takashi et al. teaches of receiving a CI signal and sending out another ANSam signal and DIS signal and judges whether the CI signal count has reached the upper limit (page 9,paragraph 0064 and 0065), which reads on transmitting a second type of DIS signal to which a bit indicating that a communication procedure in a accordance with the V.8 mode can be carried out is not set, if a CM signal cannot be detected after transmission of the second ANSam signal, and the number of detected CI signals is equal to or more than a prescribed number.

17.   Regarding claim 15, Takashi et al. teaches of sending out a DIS signal that contains a V.8 capacity (page 7, paragraph 0047), which reads on transmitting a first type of DIS signal to which a bit indicating that the communication procedure in accordance with the V.8 mode can be carried out is set, and in a case other than a case in which it is the number of detected CI signals is equal to or more than the prescribed number when the CI signal cannot be detected after the transmission of the second ANSam signal.

18.   Takashi et al. teaches that a CM signal that is within an upper limit 1 hour is detected and transmits a JM signal and a V.34 procedure is done (page 8,paragraph 0057,0058,0059,0061 and 0062), which reads on transmitting a JM signal if the CM signal is detected; continuing the V.8 mode thereafter and carrying out a facsimile reception process in accordance with a V.34 mode.

19.   Takashi et al. teaches of a DCS command in which, a T.30 procedure is performed (page 8,paragraph 0052), which reads on the step of carrying out a facsimile reception process in accordance with T.30 of the ITU-T Recommendation if a DCS signal is received after transmission of the first or second type of DIS signal.

20.   Regarding claim 18, Takashi et al. teaches of a system control program storage section (28) (page 6,paragraph 0041), which reads on a storing medium storing a communication control program to be executed by communication control means of a communication terminal device. Takashi et al. teaches of sending out an ANSam signal (page 8,pagragph 0060 and page 9, paragraph 0063 and 0065), which reads on a first program code for causing a communication terminal to transmit a first ANSam signal. Takashi et al. teaches of sending out a DIS signal and teaches of not receiving a CM signal in a predetermined time and sends out (page 8,pagragph 0060 and page 9, paragraph 0063 and 0065), which reads on a second program code for causing the communication terminal device to transmit a first type of DIS signal to which a bit indicating that the communication procedure in accordance with the V.8 mode can be carried out is not set, if a CM signal cannot be detected within a prescribed period of time after the transmission of the first ANSam signal. Takashi et al. teaches of receiving

a CI signal and sending out another ANSam signal and judges whether the CI signal

count has reached the upper limit (page 9,paragraph 0064 and 0065), which reads on a

third program code for causing the communication terminal device to transmit a second

ANSam signal if a CI signal is received after transmission of the first type of DIS signal.

Takashi et al. teaches of receiving a CI signal and sending out another ANSam signal

and DIS signal and judges whether the CI signal count has reached the upper limit

(page 9,paragraph 0064 and 0065), which reads on a fourth program code for causing

the communication terminal device to transmit a second type of DIS signal to which a bit

indicating that a communicating procedure in a accordance with the V.8 mode can be

carried out is not set, if a CM signal cannot be detected after transmission of the second

ANSam signal, and the number of detected CI signals is equal to or more than a

prescribed number.

21.   Regarding claim 19, Takashi et al. teaches of sending out a DIS signal that

contains a V.8 capacity (page 7, paragraph 0047), which reads a fifth program code for

causing the communication terminal device to transmit a first type of DIS signal to which

a bit indicating that the communication procedure in accordance with the V.8 mode can

be carried out is set, and in a case other than a case in which it is the number of

detected CI signals is equal to or more than the prescribed number when the CI signal

cannot be detected after the transmission of the second ANSam signal.

22.   Regarding claim 20, Takashi et al. teaches of a system control program storage

section (28) (page 6,paragraph 0041), which reads on a storing medium is an optical

disk or floppy disk.

Conclusion

Any inquiry concerning this communication should be directed to Michael

Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-

7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. –

4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Kimberly Williams can be reached at (571) 272-7471

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER

Michael Burleson
Patent Examiner
Art Unit 2626

Mlb
October 2, 2005